

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **MIGUEL ANGEL RIVERA MARTINEZ**
SSN xxx-xx-3010

CASE NO: **22-01616-ESL**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **06/03/2022**

First Meeting Date: **07/13/2022 at 8:40AM**

Days From Petition Date: **40**

341 Meeting Date: **07/13/2022 at 8:40AM**

910 Days Before Petition: **12/06/2019**

Confirmation Hearing Date: **08/03/2022 at 10:30AM**

Chapter 13 Plan Date: **06/08/2022** ☐ Amended

Plan Base: **\$44,000.00** Plan Docket # **10**

This is Debtor(s) 3 Bankruptcy petition.

This is the 1 scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$0.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☒ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

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Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): **A. Henriquez**

☐ Pro-se

☒ Creditor(s) Present ☐ None

BPPR -- Vilches

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ADELA L TORRUELLA***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$117.00** Outstanding (Through the Plan): **\$3,883.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)
Projected Disposable Income: **\$ 0.00**

☐ The Trustee cannot determine debtor's/s' commitment period at this time.

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately (\$8,111.00)

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS [Plan Confirmation](#) Gen. Uns. Approx. Dist.: 0.00 %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☐ CLOSED

☒ HELD OPEN FOR 21 DAYS until August 3, 2022 pursuant to 1308. After this date the meeting is deemed CLOSED.

§341 Meeting Rescheduled for: _____

Comments:

*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor has two sources of income: (a) professional services for ROF Construction; and (b) self employed as a landscaper. Debtor must submit paystubs or certification from ROF construction, a statement of his landscaping income and bank statements for the six months prior to filing bankruptcy.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with plan scheduled distribution or no sufficient information to determine it.

Plan is insufficiently funded to pay secured claims filed by Popular Auto.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to pay 100% of [507] priority claims. [1322(d)(1)]

Plan is insufficiently funded to pay priority claims filed by the Department of the Treasury and IRS.

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with post-petition DSO payments.

Debtor must submit evidence of being current with DSO payments up to plan confirmation. Debtor has one DSO which he pays directly to beneficiary.

[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].

Debtor has failed to submit evidence of filing 1040PR for the years 2019-2021.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

Debtor informed that his DSO payments are for \$473.00, which is lower than the amount reported in Schedule I.

/s/ Jose R. Carrion, Esq.

Trustee

Meeting Date: Jul 13, 2022

/s/ Alexandra Rodriguez, Esq., Presiding Officer